

Article - Real Property

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§13-406.

(a) If, under § 13-405 of this subtitle, the proceeding is set for a hearing before the Commissioner, the Commissioner shall hold the hearing in accordance with the Administrative Procedure Act as soon as practicable within 30 days of the order of the Commissioner under § 13-405(c) of this subtitle.

(b) Objections filed in the proceeding may be consolidated at any time for hearing or heard separately, as the Commissioner determines.

(c) (1) The Commissioner may issue subpoenas and orders for the attendance and testimony of witnesses and the production of papers, books, and documents at any hearing authorized by this section.

(2) A subpoena or order issued under this subsection shall be directed and served, in the same manner and with the same effect as any other civil process, under the Maryland Rules and applicable statutes. The subpoena or order shall be returnable to the Commissioner.

(3) If a person fails to comply with any subpoena or order issued under this subsection, the Commissioner may invoke the aid of the circuit court of the county in which declaratory relief might have been sought under § 13-407 of this subtitle. The circuit court may order that person to obey the subpoena or order and may charge the costs of the proceedings before it to that person.

(d) If a hearing is held under this section, the proceeding before the Commissioner for the issuance of a patent and all papers, dockets, orders, and decisions resulting from the proceeding:

(1) Have the same force and effect as the proceedings of a court of record; and

(2) Shall be proved in the same manner as proceedings in a court of record.

(e) Within 30 days of the conclusion of a hearing held under this section, the Commissioner shall render a final judgment under § 13-408 of this subtitle.

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